



Stat. of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Robert L. Morgan  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5340 telephone  
(801) 359-3940 fax  
(801) 538-7223 TTY  
[www.nr.utah.gov](http://www.nr.utah.gov)

October 7, 2003

CERTIFIED RETURN RECEIPT  
7099 3400 0016 8896 3472

Duane Crutchfield  
Ash Grove Cement Company  
P.O. Box 51  
Nephi, Utah 84648

Subject: Tentative Approval to Commence Revised Large Mining Operations, Ash Grove Cement Company, Nielson Sandstone Quarry Mine, M/023/012, Juab County, Utah

Dear Mr. Crutchfield:

The Division has completed a review of your latest response, received September 8, 2003, to our August 6, 2003 deficiency review letter. After reviewing this latest information, the Division is now prepared to grant tentative approval of the revision to your large mining permit for the Nielsen Sandstone Mine. We have prepared the formal notice of tentative approval which will be published for public comment in the appropriate Salt Lake City and Juab County newspapers (copy attached). This will begin the required 30-day public comment period. If no substantive comments are received during the public comment period, the Division will then be prepared to issue its final approval for this project.

Prior to issuing final approval, we require that you provide us with:

1. Two copies of the complete and corrected plan. When final approval is issued, one copy will be stamped "approved" and returned to you for your records;
2. A Reclamation Contract (Form MR-RC enclosed) must be completed and filed with this office. It must be attached to the reclamation surety for this project. The new reclamation surety amount as calculated by the Division and escalated to year 2008 is \$1,105,500 (estimate attached). Please let us know which type of surety you propose to post so we can provide you with the appropriate form. Please provide us with a "draft" copy of the completed reclamation contract and surety form before they are finalized so we can review them for completeness and accuracy.

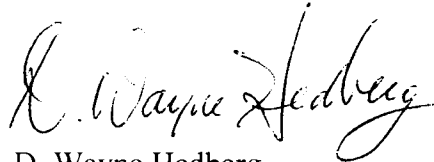
Duane Crutchfield  
Page 2 of 2  
M/023/012  
October 7, 2003

**If the required surety and Reclamation Contract are not received prior to the end of the 30-day public comment period (unless alternate arrangements have been accepted by DOGM as to when these documents will be submitted), the Division may withdraw its Tentative Approval decision and return your revised notice to you.**

**Please be advised that you are not authorized to expand surface disturbance onto the revised areas until you have received final written approval from this office, as well as the Bureau of Land Management.**

Thank you for your cooperation and patience in completing this permitting process. If you have any questions regarding this letter, please contact me at (801) 538-5286 or Tom Munson at 538-5321.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Attachment: public notice & surety estimate  
cc : Rex Rowley, BLM, Fillmore FO (UTU-070687)  
O:\M023-Juab\M0230012-NielsonSSQuarry\Final\tent-apvl-10072003.doc

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---ooOoo---

IN THE MATTER OF TENTATIVE	:	
DECISION TO APPROVE A REVISED	:	
LARGE MINING AND RECLAMATION	:	NOTICE OF TENTATIVE
PLAN FOR ASH GROVE CEMENT	:	DECISION TO APPROVE
COMPANY'S NIELSON SANDSTONE	:	
MINE, JUAB COUNTY, UTAH		NO. M/023/012

---ooOoo---

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS  
INTERESTED IN SECTIONS 1, 11 AND 12, TOWNSHIP 14 SOUTH, RANGE 3 WEST,  
SLBM, JUAB COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention to Revise Operations for Ash Grove Cement Company's Nielsen Sandstone Mine. Mining activities will affect the following area: SW1/4 of SW1/4 of Section 1, E½ Section 11, and the NW1/4 of NW1/4 of Section 12, Township 14 South, Range 3 West, SLBM, Juab County, Utah.

Ash Grove Cement Company has submitted a permit application to expand their existing large mining project. Reclamation surety will be increased and provided to the Division for the proposed project disturbance. The operator will employ the following mining and reclamation techniques on approximately 132 acres of federal, and state land.

**During Operations:** The Nielson Sandstone mine began operation in 1987 and has operated as a conventional, single bench, open pit mine. The proposed expansion of the Pit 1 will continue to be mined using a single bench approach. As a new pit area is disturbed, soils will be pre-stripped and stockpiled for reclamation. When the pit limits are reached, the pit will be graded and reclaimed. Pit 2 will be mined in a similar manner, but as a repeated single bench operation. Mining of a single level will be completed before the next level is developed.

**After Operations:** As a mining phase is completed, the mine phase will be contemporaneously reclaimed to meet the post-mining land use. At the completion of all mining, the site will blend into the surrounding topography. The final mine slopes will be reclaimed at a 3H:1V slope. The pit bottoms will be sub-drilled, ripped and recontoured, then the previously stripped soil will be redistributed on these areas.

All roads within the pit areas will be reclaimed following mining. Some roadways in the mine area will remain following mining to provide access to BLM grazing land north of the mine and to allow periodic inspection of the site to evaluate revegetation success.

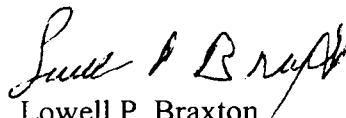
The mined area will be graded to approximate final contours, then reclaimed using state-of-the-art surface roughening and revegetation techniques. All seeding will take place during the fall of the year that reclamation is performed.

The person representing the company is Mr. Duane Crutchfield; Phone (435) 857-1212. Ash Grove Cement Company is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 3rd day of October, 2003

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

  
Lowell P. Braxton  
Director

## CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Revision to the Large Mining Notice of Intention for Ash Grove Cement Company's Nielson Sandstone Mine project, M/023/012 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 6th day of October, 2003 to:

FACSIMILE: 237-2776 and  
E-MAIL: [naclegal@nacorp.com](mailto:naclegal@nacorp.com)  
Salt Lake Tribune  
Advertising Department  
116 Regent Street  
P.O. Box 45838  
Salt Lake City, Utah 84145

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Duane Crutchfield  
Ash Grove Cement Company  
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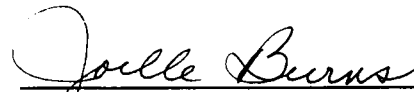
FACSIMILE: (435) 623-4735 and  
E-MAIL: [publisher@nephitimesnews.com](mailto:publisher@nephitimesnews.com)  
The Times News  
Legal Advertising  
96 South Main  
P.O. Box 77  
Nephi, Utah 84648-0077

Glenn Greenhalgh  
Juab County Planning and Zoning  
160 North Main  
Nephi, Utah 84648

FACSIMILE: (801) 489-7021 and  
E-MAIL: [artcity@avpro.com](mailto:artcity@avpro.com)  
Eureka Reporter  
Legal Advertising  
161 South Main Street  
Springville, Utah 84663-1850

Rex Rowley  
Bureau of Land Management  
Fillmore Field Office  
35 East 500 North  
Fillmore, Utah 84631

Will Stokes  
School and Institutional Trust Lands  
Administration  
675 East 500 South, Suite 500  
Salt Lake City, Utah 84102

  
Joelle Burns, Secretary

RECLAMATION SURETY ESTIMATE				
Ash Grove Cement Co.		last revision		10/10/03
Nielson Sandstone Quarry		filename M023012.xls		
DOGM file Number M/023/012		Juab County		
Prepared by Utah State Division of Oil, Gas & Mining				
Cost estimate for Pit 1 - Slope Reclamation				
Note: actual unit costs may vary according to site conditions last unit cost update 10/07/02				
-Amount of disturbed area which will receive reclamation treatments =				acres
-Estimated total disturbed area for this mine =				acres
Activity	Quantity	Units	\$/unit	\$
Safety gates, signs, etc (mtls & installation)	0	Sum	200	0
Drilling & Blasting	13628 CY		6.11	83267
Rip & push blasted material to FEL D8R	13628 CY		0.34	4665
Topsoil hauling 46 CY Truck	19804 CY		0.87	17210
Contouring & soil placement D8R	28104 hour		0.54	15059
Rough grading & loading 8 CY FEL	30000 acre		0.27	8190
Rough Grading - access roads - 4 CY excavator	40 hours		194.51	7780
Water truck	22 days		353.64	7780
Deep gouging - straw incorporation - 2 CY excavator	25 hours		136.13	3403
Seeding - hydro w/mulch	419 msf		34.64	14514
Straw mulch	419 msf		21.80	9134
Project surveying	1 day		545.00	545
Project transportation - pick-up	22 days		35.65	784
Reclamation supervision	22 days		294.17	6472
Contractors profit & overhead	10 %			17881
Mobilization & demobilization	5 %			8940
Engineering redesign	2.5 %			4470
Reclamation Management Fee	2 %			4200
	Subtotal			214296
4% Contingency				8572
	Subtotal			222868
Escalate for 5 years at 2.89% per year				34120
	Total			256989
Rounded surety amount in year 2008 \$				257000
Average cost per disturber acre =				#DIV/0!

### BOND ESTIMATE TOTALS

1. Cost Estimate for Pit 1 - Slopes Reclamation	\$257,000
2. Cost estimate for Pit 1 - Floor Reclamation	\$309,400
3. Cost estimate for Pit 2	\$539,100
Grand Total	\$1,105,500

RECLAMATION SURETY ESTIMATE					
Ash Grove Cement Company		last revision		10/08/03	
Nielson Sandstone Quarry		filename M023-012.WB2			
DOGM file Number M/023/012		Juab County			
Prepared by Utah State Division of Oil, Gas & Mining					
Cost Estimate for Floor Reclamation of Pit 1					
Note: actual unit costs may vary according to site conditions					last unit cost update
					10/07/02
-Amount of disturbed area which will receive reclamation treatments =				acres	
-Estimated total disturbed area for this mine =				acres	
Activity		Quantity	Units	\$/unit	\$
Safety gates, signs, etc (mntls & installation)		0	Sum	200	0
Ripping & recontouring D8R		12825 CY		0.92	11756
Hauling topsoil 46 CY truck		18824 CY		1.16	21742
Spreading topsoil D8R		18824 CY		0.39	7287
Rough grading and loading -8 CY FEL		18824 CY		0.55	10337
Rough grading - access roads-4 CY FEL		40 hours		194.51	7780
Seeding - hydro w/mulch		573 msf		34.64	19849
Straw mulch - 2 tons/acre		573 msf		21.80	12491
Deep gouging - straw incorporation- 2CY excavator		32 hours		120.73	3863
Asphalt Demolition 2.5 CY excavator		4394 CY		2.89	12692
Offsite disposal of asphalt		4394 CY		22.63	99420
Install silt fence		550 lf		0.73	402
Removal of silt fence		550 lf		0.40	220
Water Truck		11 days		353.64	3890
Project surveying		1 day		545.00	545
Project transportation - pick-up		11 days		35.65	392
Reclamation supervision		11 days		294.17	3236
Contractors profit & overhead		10 %			21590
Mobilization & demobilization		5 %			10795
Engineering redesign		2.5 %			5398
Reclamation management fee		2 %			4318
		Subtotal			258004
4% Contingency					10320
		Subtotal			268325
Escalate for 5 years at 2.89% per year					41080
		Total			309404
Rounded surety amount in year 2008 \$					309400
Average cost per disturber acre =					#DIV/0!

RECLAMATION SURETY ESTIMATE					
Ash Grove Cement Company		last revision		10/08/03	
Nielson Sandstone Quarry		filename M023-012.WB2			
DOGM file Number M/023/012		Juab County			
Prepared by Utah State Division of Oil, Gas & Mining					
Cost Estimate for Reclamation of Pit 2					
<b>Note: actual unit costs may vary according to site conditions</b>					
last unit cost update			10/07/02		
-Amount of disturbed area which will receive reclamation treatments =				acres	
-Estimated total disturbed area for this mine =				acres	
Activity	Quantity	Units	\$/unit	\$	
Safety gates, signs, etc (mtls & installation)	0	Sum	200	0	
Hauling topsoil 46 CY truck	61030	CY	0.98	59761	
Spreading topsoil D8R	29121	CY	0.36	10590	
Rough grading and loading -8 CY FEL	61030	CY	0.31	19007	
Rough grading - access roads-4 CY excavator	40	hours	194.51	7780	
Seeding - hydro w/mulch (35lb/acre)	3300	msf	34.67	114411	
Straw mulch 2 tons/acre	3300	msf	21.84	72072	
Deep gouging - straw incorporation - 2 CY excavator	11	days	1153.86	12692	
Asphalt demolition - 2.5 CY excavator	2458	CY	2.58	6342	
Offsite disposal of asphalt	2458	CY	22.57	55482	
Water Truck	22	days	353.64	7780	
Culvert removal 24" CMP	50	lf	3.55	178	
Culvert removal 48" CMP	75	lf	6.30	473	
Excavation for culvert 24" CMP	23	CY	3.77	87	
Excavation for culvert 48" CMP	50	CY	3.51	176	
Project surveying	2	days	545.00	1090	
Project Transportation - pick-up	22	days	35.65	784	
Reclamation supervision	22	days	288.77	6353	
Contractors profit & overhead	10	%		37506	
Mobilization & demobilization	5	%		18753	
Engineering redesign	2.5	%		9377	
Reclamation management	2	%		8810	
	Subtotal			449504	
4% Contingency				17980	
	Subtotal			467484	
Escalate for 5 years at 2.89% per year				71570	
	Total			539054	
Rounded surety amount in year 2008 \$				539100	
Average cost per disturber acre =				#DIV/0!	